

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden

v. : Criminal No. 08-770 (KSH)

OTTO JOEL CHUN-CHILEL : ORDER FOR CONTINUANCE  
a/k/a "Manuel Barrios Rodriguez"

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by Brian L. Urbano, Assistant U.S. Attorney) and defendant OTTO JOEL CHUN-CHILEL (by Peter Carter, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from January 6, 2009 through March 6, 2009, to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance and waived such right, for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

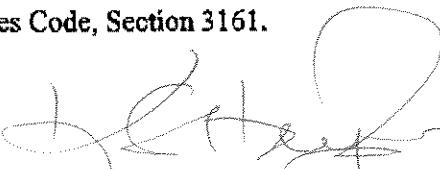
- (1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render a trial of this matter unnecessary;
- (2) Defendant consents to the continuance; and

(3) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, IT IS on this 27 day of January 2009,

ORDERED that this action be, and it hereby is, continued from January 6, 2009 through March 6, 2009; defense motions, if any, are to be filed by March 6, 2009, opposition to defense motions are to be filed by March 20, 2009, motions shall be heard on March 27, 2009 and the trial shall be scheduled for April 3, 2009 absent any other reason to continue the proceedings; and it is further,

ORDERED that the period from January 6, 2009 through March 6, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984), pursuant to Title 18, United States Code, Section 3161.

  
HONORABLE KATHARINE S. HAYDEN  
UNITED STATES DISTRICT JUDGE

I hereby consent to the form  
and entry of this Order

  
PETER CARTER, ESQ.  
ATTORNEY FOR DEFENDANT

  
BRIAN L. URBANO  
ASSISTANT UNITED STATES ATTORNEY